

## REMARKS

This amendment and these remarks are responsive to the non-final Office action dated March 24, 2005, and are being submitted under 37 C.F.R. § 1.111. Claims 1-41 are pending in the application. In the Office action, the Examiner:

- (1) allowed claims 8-20 and 26-30,
- (2) objected to claims 2, 4, 5, 22, 24, and 25 (as being dependent upon a rejected based claim),
- (3) rejected claims 31-39 as being indefinite under 35 U.S.C. § 112, second paragraph, and
- (4) rejected claims 1, 3, 6, 7, 21, 23, 40, and 41 under 35 U.S.C. § 102(b) or § 103(a) (as being anticipated by, or obvious over, U.S. Patent No. 4,056,190 to Dix ("Dix") or U.S. Patent No. 6,393,950 to Crosser ("Crosser")).

Applicant traverses the rejections, contending that rejected claims 1, 3, 6, 7, 21, 23, and 31-41 are not indefinite, anticipated, or obvious. Nevertheless, to expedite the issuance of a patent, and to more particularly point out and distinctly claim aspects of the invention that applicant would like to patent now, applicant has amended claims 1, 21, and 31, and has canceled claims 2, 24, 25, 40, and 41, without prejudice. In particular, applicant has amended (a) independent claim 1 to include the limitations of allowable claim 2, (b) independent claim 21 to include the limitations of allowable claim 24, and (c) independent claim 31 to overcome the indefiniteness rejection. Accordingly, in light of the foregoing amendments and the following remarks, applicant respectfully requests reconsideration of the rejected claims, and prompt issuance of a Notice of Allowability covering all of the pending claims.

**I. Claim Rejections - 35 U.S.C. §§ 102**

The Examiner rejected claims 1, 3, 6, 7, 21, and 23 under 35 U.S.C. § 102(b) as being anticipated by Dix or Crosser. However, applicant has amended independent claims 1 and 21 to overcome these rejections as described below.

**A. Claims 1-7**

Applicant has amended independent claim 1 to include all the limitations of allowable claim 2, which depends from claim 1, and has canceled claim 2. Claim 1 thus should be allowed. Claims 3-7, which depend from claim 1, also should be allowed for at least the same reasons as amended claim 1.

**B. Claims 21-25**

Applicant has amended independent claim 21 to include all the limitations of allowable claim 24, which depends from claim 21, and has canceled claims 24 and 25. Claim 21 thus should be allowed. Claims 22 and 23, which depend from claim 21, also should be allowed for at least the same reasons as amended claim 21.

**II. Claim Rejections - 35 U.S.C. §§ 103**

The Examiner rejected claims 40 and 41 under 35 U.S.C. § 103(a) as being obvious over Dix. However, applicant has canceled these claims, without prejudice, rendering these rejections moot.

**III. Claim Rejections - 35 U.S.C. §§ 112**

The Examiner rejected claims 31-39 under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, the Examiner indicated that "it is unclear in these

claims what the configuration is marked upon, and where the tools are positioned." In response, applicant has amended claim 31 as follows:

31. (Currently Amended) A method of arranging tools for different projects, comprising:  
selecting a set of tools for performing a project;  
designing a positional configuration for arranging the tools adjacent a surface;  
marking the configuration adjacent the surface with a tool marker corresponding to each tool according to the configuration;  
placing the tools in the positional configuration adjacent the surface;  
performing the work on the project; and  
repeating the steps of selecting, marking, placing, and performing for a different project and a different configuration.

In amended claim 31, the configuration is marked "adjacent the surface" and the tools are placed "adjacent the surface." Applicants believe these amendments to claim 31 should overcome the Examiner's rejection for indefiniteness and thus claim 31 should be allowed. Claims 32-39, which depend from claim 31, also should be allowed for at least the same reasons as claim 31.

#### **IV. New Claims**

New claims 42 and 43, which correspond respectively to original claims 5 and 25, have been added by the present communication. In the Office action, the Examiner indicated that original claims 5 and 25 were allowed, and thus new claims 42 and 43 also should be allowed.

#### **V. Conclusion**

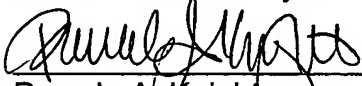
Applicant believes that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicant respectfully requests that the Examiner issue a Notice of Allowability covering the pending claims. If the

Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

CERTIFICATE OF MAILING

Respectfully submitted,

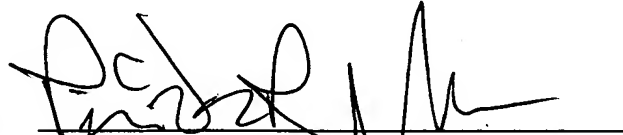
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22202-3513 on May 23, 2005.



Pamela A. Knight

Date of Signature: May 23, 2005

KOLISCH HARTWELL, P.C.



Pierre C. Van Rysselberghe

Registration No. 33,557

Customer PTO No. 23581

of Attorneys for Applicant

200 Pacific Building

520 SW Yamhill Street

Portland, Oregon 97204

Telephone: (503) 224-6655

Facsimile: (503) 295-6679